Customer No. 24498   PATENT
Serial No. 10/549,407   Docket No. PU030084

REMARKS

The FINAL Office Action issued April 14, 2008, has been carefully considered and these remarks are responsive thereto. Claims 1-23 remain as presented January 16, 2008. The Examiner has rejected claims 1-23 as anticipated by Luo, U.S. Publication No. 20030169713 under 35 U.S.C. 102(e). In particular, the Examiner provides detailed comments with respect to independent claims 1 and 5 at paragraph 4, pages 2-3. Also, the Examiner comments on new dependent claims 22/1 and 23/5 at paragraph 23, page 7.

Applicant previously amended independent claims 1 and 5 of the present application due to a prior rejection based on the same Luo reference to recite, for example, with respect to claim 1, receiving an access request from the client terminal; redirecting the access request to a local web server via a packet traffic filter for filtering packet traffic. Also, applicant added new dependent claims 22 and 23 to further distinguish over Luo.

In response to the amendments made by the applicant, the Examiner points to paragraphs [0022] and [0023] of Luo in his FINAL Office Action at paragraph 24, Page 8, for support that a "packet traffic filter" as recited is found in Luo:

> According to the specification, the packet traffic filter aims to redirect the client terminal 140 n to the designated HTTP web server (Specification,: page 7 lines 15-16). Therefore, Luo teaches a mobile access point that redirects the request of the mobile host/client to the authentication server (Luo: [0035]) and Luo also discloses that the access point maintains operation states of mobile host/client (Luo: [0022]-[0023]).

Applicant respectfully traverses. The Examiner has cited to a cancelled portion of the specification and finds only that function, not the recited function or structure of the amended claims 1 and 5. Applicant amended the specification at page 7 to read differently. In their preliminary amendment of September 14, 2005, applicant amended page 7, lines 15-16 to read: "The invention herein provides a method for automatically configuring a IEEE 802.1x client terminal to provide secure access in a wireless local area network 115 comprising the steps of an access point 130n filtering traffic 330 associated with *a HTTP request from the client terminal* for access to the wireless network redirecting the *HTTP* to a designated web server 120, and issuing a request from the web server to the client terminal 140n for information 360 required to establish an authorized communication" (our emphasis added). It is respectfully submitted,

2

SGRDC\306020.1

Customer No. 24498   PATENT
Serial No. 10/549,407   Docket No. PU030084

therefore, that the Examiner has relied upon cancelled subject matter of the specification for his rationale. His rationale being flawed, applicant now wishes to direct the Examiner to his flawed reliance on [0022] and [0023] for support.

Applicant specifically pointed to the amended language of the specification at page 7 in his response filed January 16, 2008, as well as pointing to discussions of filtering in the Abstract, page 6, lines 12-28 and page 7 line 3 through page 8, line 1. In particular, the applicant pointed to the words at page 7 referenced above of the specification as an advantage.

At MPEP 707.(f), Examiners are encouraged to "state the reasons for his or her position in the record, preferably in the action following the assertion or argument relative to such advantages." Here, the Examiner is silent about the advantage and cites to cancelled subject matter. At MPEP 706.07, "present practice does not sanction hasty and ill-considered final rejections." "The Examiner should never lose sight of the fact that in every case the applicant is entitled to a full and fair hearing, and that a clear issue between the applicant and the examiner should be developed, if possible, before appeal."

Applicant respectfully incorporates by reference his Remarks/Arguments made in his January 18, 2008 amendment. In those remarks, it is urged that a "home agent controller" does not comprise a "packet traffic filter" – it teaches a "backhaul." Luo teaches away from a "packet traffic filter."

As indicated above, the plain language of the amended and new independent claims 1, 5 and 22 relates to "client terminal" and not "mobile host" – sec, for example, Luo [0022]-[0023] where mobile "host" is used. Applicants refer to a packet traffic filter for filtering packet traffic.

Independent claims 1 and 5 recite "a packet traffic filter for filtering packet traffic," and the Examiner has relied, not on the subject matter of the main claims for his rejection, but on a cancelled portion of the specification.

Luo [0022] and [0023] state: "Every access point maintains a mobile state table 118 for the mobile hosts that are associating with it or had previously associated with it within a specific time period. The mobile host's routing state is set to "normal," "limited," or "blocked." . . . Re "normal," Luo states: "the access point will relay all *frames* that are communicated to and from the mobile host." Re "limited," Luo states: "the access point should block all *frames* except those carrying IP configuration packets . . ." (our emphasis added) and continues with a list of

3

SGRDC\306020.1

identified packet types within frames. Re "blocked," Luo states: "the access point will block all *frames* sent to and from the mobile host."

The Examiner also points to Luo [0035] and alleges "Luo teaches a mobile access point that redirects the request of the mobile host/client to the authentication server (Luo [0035]) and Luo also describes that the access point maintains operation states of mobile host/client (Luo: [0022]-[0023])." In the first instance, the Examiner has relied on a cancelled portion of the specification for support and, secondly, the Examiner has lost sight of the plain language of the amended independent claims. The Examiner appears to perfectly equate a host as described by Luo to be a client terminal as recited in claims 1 and 5. If Luo defines a "frame" as containing "packets", for the Examiner to leap to the conclusion that Luo's "host" is a "client" may not be appropriate.

The Examiner would have to admit that the word combination "packet traffic filter" is nowhere found in Luo in the specification or the drawings. The Examiner rather appears to suggest that Luo Fig. 1 showing a Mobile Access Point (MAP) 102 having a mobile state table 118 and a frame blocking/relay function may be equated perfectly with amended claims 1, 5 and new dependent claims 22 and 23. Such is not the case.

Also, applicants urge that Luo differentiates between a "frame" and a "packet" in [0022] and [0023]. That is, the Luo mobile access point (MAP) 102 is taught to relay/block frames containing certain packets and does so via a disclosure of access point software flowcharts (Fig. 2) – not a "packet traffic filter." Applicants must urge and the Examiner should agree that Luo teaches an access point 102 that relays or blocks frames. Luo does not teach or suggest a "packet traffic filter for filtering packet traffic."

Luo's mobile state table 118 defines a mobile state, for example, as "normal," "limited," or "blocked." The state table 118 is maintained by the MAP. Consequently, the Examiner is taking the position that the access point 102 meets the "packet traffic filter" limitation. While Luo describes that the access point relays or blocks *frames*, the operational state table does not provide input to an access point to relay or block *packet traffic*.

The Rejection of Independent Claims 1 and 5

Applicant wishes to note that the word "client" nowhere appears in Luo. Yet, the Examiner refers to Luo teaching a "host/client." Applicants specifically recite "client." A Luo mobile host (MH) is or may be different from a recited "client terminal." Clearly, a "frame" as

4

PATENT
Docket No. PU030084

used by Luo is different from "packet traffic." Applicants thus respectfully submit that the Examiner has not made a *"prima facie"* case of anticipation where 35 U.S.C. 102 requires that each and every element of a claim must be disclosed by the prior art. The Examiner has failed to show a packet traffic filter in Luo or the function it performs. Assuming, arguendo, that the Examiner suggests that applicant's invention is rendered "obvious" by Luo, Luo's function to relay or block frames does not disclose or suggest "a packet traffic filter for filtering packet traffic" as recited in claims 1 and 5.

The Rejection of Dependent Claims 22 and 23

The Examiner takes the position in paragraph 23 of his FINAL Office Action that "Luo discloses the method and access point of claims 1 and 5 respectively. Luo further discloses the method further comprising creating a plurality of operational states, said packet traffic filter receiving wireless local area network state information from said access point (Luo: [0022]-[0023]: plurality of operation states)." Claim 22 recites "creating a plurality of operational states, said packet traffic filter receiving wireless local area network state information from said access point." Luo's mobile state table 118 is just that, a mobile host state table and not "wireless local area network state information" as recited. Consequently, applicants urge that claim 22 patentably distinguishes for the same reasons that claims 1 and 5 distinguish but also on the grounds that the Examiner has failed to point to "wireless local area network state information" in Luo. As stated in their amendment of January 18, 2008, applicant discloses: "The packet filter module 330 (Figure 2) is responsible for filtering packets based on *the criteria set by other modules*" (p. 6, ll. 26-28) (our emphasis added). This citation from the specification supports "wireless local area network state information" while the examiner merely relies on a mobile host state table 118 which is not "wireless local area network state information."

The Examiner, having failed to make a *prima facie* case of anticipation of independent claims 1 and 5, let alone, new claims 22 and 23 dependent thereon, is respectfully requested to withdraw his rejection of the pending claims as previously presented as anticipated. It is respectfully submitted that the independent claims 1 and 5 are in condition for allowance and that further features recited in dependent claims 22 and 23 have not been shown to be anticipated by Luo, and the rejection of claims 1-23 should be withdrawn.

Applicants respectfully request reconsideration of the anticipation rejection of claims 1-23 for the Examiner's failure to rely on disclosed and claimed subject matter and looks forward

5

SGRDC\306020.1

Customer No. 24498
Serial No. 10/549,407

PATENT
Docket No. PU030084

to prompt allowance of the application. Should the Examiner have any questions on this request, the Examiner is urged to contact the undersigned attorney of record at the telephone number and address given.

Respectfully submitted,
Junbiao Zhang, et al.

By: _Catherine a Ferguson_
Catherine Ferguson, Attorney
Reg. No.40,877

Date: _May 20, 2008_

Patent Operations
Thomson Licensing LLC
P. O. Box 5312
Princeton, New Jersey 08543-5312
Telephone: (609) 734-6440

6

SGRDC\306020.1